

***WATERFRONT REVIEW OVERLAY DISTRICT*****162.40 CREATION AND BOUNDARIES.**

(A) (1) Pursuant to KRS 82.660 - 82.670, the Waterfront Review Overlay District (the "District") is created in order to provide additional regulations for design standards and development for the District.

(2) The boundaries of the District shall be as set forth on Exhibit A, attached to Ordinance No. 66-2004 and incorporated herein by reference.

(3) The distinctive characteristics of the District are described in Exhibit B, attached to Ordinance No. 66-2004 and incorporated herein by reference.

(B) Description of boundaries. The Waterfront Review Overlay (WRO) District, for the purpose of design reviews by the Waterfront Development Corporation, shall be considered to consist of three sub-areas with boundaries, which are incorporated by reference thereto and made a part of this subchapter.

(1) Area A-1: Downtown (CBD) waterfront area. Consistent with the W-1 and C-3 zoning, the intent is to achieve a high degree of public use with parks, hotels, public assembly areas, high density residential areas, and river theme retail commercial uses. The character envisioned is an urban district with hard-edged landscape and streetscape treatment, especially pedestrian oriented for day and night use with continuous public access to the water's edge.

(2) Area A-2: This area provides the potential to expand the downtown waterfront oriented businesses and public uses. Protection of the established character of historic structures and the extension of the established Main Street scale are important. Transition and connection from the CBD to the river for the public, and especially pedestrian movement, are key concepts. Pedestrian and vehicular linkages north and south across River Road are important concerns.

(3) Area B: This area contains Eva Bandman Park which is a community active and passive recreation area and should serve as a transition buffer from the urbanizing waterfront of Areas A-1 and B to the industrial waterfront in C-1. Area B is suited for a mix of public and private uses as permitted with W-2 zoning. Extension of the public assembly and gathering facilities and river's edge accessibility easterly from Area A-1 is encouraged. A transition from the urban waterfront of A-1 to a mix of developed and natural landscape at the water's edge is expected. Residential use is encouraged with densities variable from high to medium, taking advantage of adjacency to the river and public park land and proximity to the CBD.

(4) Area C-1: The balance of C-1 is primarily zoned W-3 with the intent of providing river-oriented industry a location for operation. Public access to the river's edge is preferred, but it is understood that safety, security or other business needs may make river edge access impractical. The key design issues for the area include the visual relationships of proposed development (height and mass) to River Road, to area C-2 south of River Road, and to vistas from 1-64, 1-71 and the river. Circulation and access impacts on the proposed River Road Parkway are also important issues. Industrial development proposed within the W-3 area, of the WRO district, shall receive a decreased level of review. Specifically, design criteria relating to the district's image will only apply to the areas visible from River Road and to a lesser degree from the Ohio River. Once it is determined that, by virtue of its "interior" location, a development proposal does not impact the district's image, notice will be given the applicant to proceed.

(5) Area C-2: This area is south of River Road and is expected to have both public and private open space and recreation and uses on the eastern end, and have the potential for private and public uses on the western side similar to the expectation for Area B. The design issues focus on the 1-64, 1-71 and River Road corridors, where it is desirable for these to continue to serve as scenic, landscaped approaches to Louisville's CBD from the east. Development will be reviewed with the idea that intensity will diminish from the medium density dominant in Area B to the pastoral, open-space character present at the eastern edge of the Review District. (Lou. Metro Ord. No. 66-2004, approved 6-3-2004)

#### **162.41 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ALTERATION.** A change to any part or to the whole of a structure that is not ordinary repairs.

**BOARD.** The Board of Directors of the Corporation

**BUILDING.** Any type of man-made structure, except for temporary structures to be used for special events or emergency situations for a period not to exceed one month.

**CORPORATION.** The Waterfront Development Corporation.

**DEVELOPMENT ACTIVITY.** Any alteration, new construction or demolition of a structure, a change in business identification signs, a change in the use of a property, or the construction of public parking or other publicly accessible area.

**DISTRICT.** The Waterfront Review Overlay District established pursuant to this subchapter; as shown on Exhibit A attached to Ordinance No. 66-2004.

**GUIDELINES.** The statement of specific design standards for the Waterfront Review Overlay District set forth in 162.48;

**MAJOR STRUCTURAL CHANGE.** Structural alterations and structural repairs made within any 12-month period costing in excess of 50% of the physical value of the structure, as determined by comparison of the extent/value of the alterations involved and the replacement value of the structure at the time the plans for the alteration are approved, using the Building Officials Conference of America (BOCA) chart for construction cost.

**NEW CONSTRUCTION.** The erection of the whole or any part of a structure.

**ORDINARY REPAIRS.** Nonstructural reconstruction or renewal of any part of an existing building for the purpose of its maintenance or decoration, which shall include, but not be limited to, the replacement or installation of nonstructural components of the building, such as the roofing, siding, windows, storm windows, insulation, drywall or lath and plaster, or any other replacement, in kind, that does not alter the structural integrity, alter the occupancy or use of the building, substantially alter appearance of the building, or affect by rearrangement, exit-ways and means of egress.

**OVERLAY DISTRICT ADMINISTRATOR.**

The member of the staff of the Corporation delegated the responsibilities under this subchapter by the Board.

**WRO PERMIT.** An overlay district permit issued by the Corporation pursuant to this subchapter. (Lou. Metro Ord. No. 66-2004, approved 6-3-2004)

#### **162.42 REVIEW OF DEVELOPMENTAL ACTIVITY AND PLANS.**

(A) The Waterfront Development Corporation shall review any developmental activity within the waterfront review overlay district as provided in §§ 162.40 through 162.48. The review by the Corporation is limited to the policies and standards established in §§ 162.40 through 162.48 and shall not include any consideration of whether the use is appropriate under the zoning regulations.

(B) The Board shall review all plans for conformity with the design standards established in § 153.77, and, in addition, shall consider whether the developmental activity is compatible with the overall scheme of development for the waterfront area. In making that determination, the Board shall be guided by the following policy statements of basic goals and concepts for the Waterfront Review District:

(1) Unified public spaces. The waterfront and adjacent lands in the district should be planned in a coordinated manner, with connected open-space systems, pedestrian ways, and public activity areas. Landscape concepts and details of materials and construction shall be related to convey a sense of harmony and unity.

(2) Continuity and coordinated private development. Design theme and aesthetic concept should both exhibit a relationship to the waterfront, and be coordinated with adjacent development. As appropriate, circulation systems should have continuity between parcels.

(3) Public accessibility to river's edge. The Ohio River water's edge should be accessible to the public for view and use throughout the W-1 and W-2 areas, and is preferred, where practicable, in the C-1 portion of the W-3 area.

(4) River's edge treatment. The waterfront is viewed as the city's front door and the face of the community. The quality of its appearance is important. The views from the river, 1-71, 1-64 and other vantage points are to be considered in design.

(5) River Road Parkway. River Road serves as a main entrance to the city and as an access road to the waterfront. This resource should be developed as a unified visual experience, in the tradition of the city's existing parkway system.

(6) Downtown connection. The Central Business District (CBD) of the city should be tied directly to the waterfront through pedestrian and vehicular connections.

(7) River's edge concept. From the wharf and Belvedere area of the eastern limit of the WRO area the character of the river's edge will change from an urban "hard edged" setting to a natural and naturalized landscape appearance.

(8) River Road Parkway concept. The parkway is viewed as a man-made linear open space serving as a major entry to the city. From downtown to Zorn Avenue the character is expected to range from an urban tree-lined and lighted boulevard scene, through a transitional multi-use developed setting, to a naturalized open-space appearance. (Lou. Metro Ord. No. 66-2004, approved 6-3-2004)

#### **162.43 PRINCIPLES AND GUIDELINES.**

(A) On and after the effective date of this subchapter no person shall make any alteration to a structure or building or undertake new construction as defined in § 162.41 within the District without obtaining a permit issued, without cost, pursuant to the procedures set forth in § 162.46 certifying compliance with the applicable design standards for the district as set forth in § 162.48.

(B) The purpose of the district is to control development within the district in order to:

(1) Protect waterfront property as a valuable asset to the community in terms of quality of life and economic development;

(2) Protect public investment in the waterfront area;

(3) Create a character in the waterfront area that will stimulate private investment within the area;

(4) Enhance and encourage public enjoyment and use of waterfront scenic qualities and river activities;

(5) Encourage high quality development that is attractive to the public and enhances the waterfront's appearance; and

(6) Encourage development that is sensitive to the area's unique environmental qualities.

(C) The establishment of the district shall not be deemed to repeal or in any respect alter the provisions and requirements of the flood plain regulations. (Lou. Metro Ord. No. 66-2004, approved 6-3-2004)

**162.44 ADMINISTRATION AND IMPLEMENTATION.**

The responsibility for administering and implementing the guidelines is delegated to the Corporation, whose staff and Board shall have the following duties and responsibilities pursuant to this subchapter:

(A) Overlay District Administrator. The duties of the Overlay District Administrator shall be to:

(1) Classify all development activity in accordance with § 162.45 as:

(a) Exempt;

(b) Expedited; or

(c) Nonexpedited.

(2) Coordinate review of permit applications with the Departments of Public Works, Inspections, Permits and Licenses, and other agencies, commissions or boards.

(3) Review expedited development applications;

(4) For expedited development applications, issue a WRO Permit, issue a WRO Permit with conditions, or deny a WRO Permit pursuant to the procedures set forth in § 162.46.

(5) Serve as staff to the Board in its consideration of applications classified as nonexpedited.

(B) The Overlay District Administrator may seek the advice of a body made up of persons possessing professional architectural or urban design expertise for review of applications as he deems necessary.

(C) The Board shall have the following duties and responsibilities with respect to applications for WRO Permits:

(1) Meet with applicants for nonexpedited development projects to review their applications;

(2) For nonexpedited development applications, issue a permit, issue a WRO Permit with conditions, or deny a WRO Permit pursuant to the procedures set forth in § 162.46;

(3) Review decisions of the Overlay District Administrator on expedited development applications upon request of the applicant pursuant to § 162.46;

(4) Recommend to the Metro Council amendments to the guidelines as needed.

(5) The Board shall provide not less than five days written notice to the Butchertown Neighborhood Association (the "Association") of any meeting of the Board where one or more agenda items concerns property located within the boundaries of the Butchertown Neighborhood as defined by the Metro Planning Commission. The association shall designate in writing to the Board the name, mailing address, and telephone or fax numbers of a representative for purposes of receiving notice under this section on behalf of the association. (Lou. Metro Ord. No. 66-2004, approved 6-3-2004)

#### **162.45 EXEMPT ACTIVITIES.**

(A) The following development activities shall be exempt from review under the guidelines:

- (1) Ordinary repairs;
- (2) Removal of existing signage without replacement;
- (3) Temporary signage or structures;
- (4) Emergency repairs ordered by a Metro Building Code enforcement official in order to protect health and safety;
- (5) Alterations or major structural change only to the interior of a structure, unless visible from outside building; and (6) Demolition of an accessory structure, including but not limited to unconnected garages or storage sheds, billboards, fences or retaining walls.

(B) All development activity within the District, except for exempt activities described in division (A) shall be classified as either requiring expedited or nonexpedited review under the guidelines, as follows:

(1) The following development activities shall be subject to expedited review:

- (a) Landscaping;
- (b) Sidewalk or street paving, lighting, streetscape furnishings, and banners;
- (c) Signage; and
- (d) Exterior alterations which are not major structural changes.

(2) The following development activities shall be subject to nonexpedited review:

- (a) New construction;
- (b) Major structural change;
- (c) Parking facility development or redevelopment; and
- (d) Demolition of a non-accessory structure. (Lou. Metro Ord. No. 66-2004, approved 6-3-2004)

#### 162.46 PERMIT REQUIREMENTS AND APPEAL.

(A) It shall be a condition precedent to obtaining any permit for any development activity within the District that the person has obtained a WRO Permit pursuant to this section. A WRO Permit shall be issued only where it is determined, pursuant to the procedures established by this subchapter, that the proposed development activity is in compliance with the guidelines.

(B) No permit or certificate of occupancy shall be issued by any Metro Agency for any development activity within the District unless a WRO Permit for such development activity has been obtained pursuant to this subchapter.

(C) An application for a development activity within the District shall be submitted to the Corporation on a form established by the Overlay District Administrator. The application shall include at least the following information, unless waived pursuant to division (D):

(1) A site plan, drawn to an appropriate scale, photographs or other presentation media showing the proposed development in the context of property lines, adjacent structures, streets, sidewalks, etc.;

(2) Plans, elevations and other drawings, drawn to appropriate scale, as may be necessary to fully explain all proposed structures or alterations to structures; and

(3) Details or urban design elements, off-street parking, landscaping, fencing or waEs, signage, streetscape and other aspects as may be necessary to fully present the proposed development.

(D) Applicants may seek review of a development proposal prior to making formal application pursuant to division (C). The preliminary review shall be conducted by the Overlay District Administrator to determine if the minimal requirements for acceptance of the application have been met. The Overlay District Administrator may agree to waive certain of the requirements set out in division (C) if he or she determines that such requirements are not necessary for review of the application pursuant to this subchapter.

(E) The Overlay District Administrator shall classify the development proposal as either exempt, or not exempt, requiring either expedited or nonexpedited approval.

(F) A WRO Permit application classified as requiring expedited approval shall be reviewed by the Overlay District Administrator who shall, after review of the application, prepare a written decision which shall approve the WRO Permit, approve the WRO Permit with conditions, or deny the WRO Permit. An applicant, within five days of receipt of the decision of the Overlay District Administrator on a proposal requiring expedited review, may request appeal of the application to the Board. The application shall be reviewed as provided in division (G) for applications classified as requiring non-expedited approval, except that the Board shall consider the application at its next regularly scheduled meeting following the request, provided that such request is made not later than seven working days prior to the meeting.

(G) A WRO Permit application classified as requiring a non-expedited approval shall be reviewed by the Board. The permit application shall be reviewed by the Overlay District Administrator in accordance with the guidelines and forwarded to the Board with the Overlay District Administrator's written recommendation to either approve the WRO Permit, approve the WRO Permit with conditions, or deny the WRO Permit.

(H) The applicant shall be sent, by first-class mail, written notice of the date, time and location of the meeting of the Board at which his or her application shall be considered. The notice shall be sent no later than ten days prior to the date of the meeting, unless such notice is waived by the applicant.

(I) At the meeting scheduled to consider the applicant's WRO Permit request, the Board shall consider recommendations of the Overlay District Administrator and such other information as the applicant chooses to present for the Board's consideration.

(J) The Board, by majority vote of the members present, shall prepare a written decision which shall approve the WRO Permit, approve the WRO Permit with conditions, deny the WRO Permit, or defer consideration of the application until the next meeting of the Board.

(K) If, after an applicant has obtained a WRO Permit, the development proposal is amended, he or she shall submit the amended development proposal to the Overlay District Administrator who shall make a determination that the amendment has no significant impact or that the development proposal as amended requires additional review. Review of an amended proposal shall follow the same procedure as provided herein for an original application. Upon a determination by the Overlay District Administrator that the amended proposal requires review, the previously issued WRO Permit shall be suspended pending the review of the amended development proposal.

(L) Any applicant who is denied a WRO Permit shall have a right of appeal to the Jefferson Circuit Court. (Lou. Metro Ord. No. 66-2004, approved 6-3-2004)



**162.47 PERMIT AGREEMENT.**

The filing of an application to obtain a WRO Permit pursuant to this subchapter shall constitute an agreement by the applicant that he or she will undertake the development activity in conformity with the plans approved by the WRO Permit and that he or she will abide by any conditions imposed by a conditional approval of the WRO Permit. All conditions imposed by a WRO Permit shall be binding on the applicant, his or her successors, heirs or assigns, unless otherwise amended or released by the Board or Overlay District Administrator. (Lou. Metro Ord. No. 66-2004, approved 6-3-2004)

**162.48 DESIGN GUIDELINES.**

(A) The Waterfront Development Corporation, in interpreting the design standards established by this subchapter shall consider the following design principles:

(1) Functional requirements. A design shall meet the basic criteria for satisfying its program. Relationships between parking and buildings, for example, shall meet accepted standards of design for engineering and accessibility.

(2) Systems relationships and continuity. The project shall be into other projects and planned systems, such as pedestrian ways, landscaping patterns, lighting concepts, and traffic movements.

(3) Visual relationships and continuity. The way one sees the project in relation to its context is important. Such considerations as the view from the road, from the river, or from other vantage points such as from above, in vista or panorama, at day or night, or in different seasons may be of consequence.

(4) Aesthetic and symbolic meaning. The style and form should relate a project to the historic setting or to the unique qualities of its city waterfront location.

(5) Architectural and landscape composition. Scale, form, and materials are the basic elements of building and site design. The relationships between buildings and the relationship between projects and their settings are significant. A project should be expressive of contemporary thinking in design. Questions of style should be focused on relationships of form and material rather than replication of historic architectural periods.

(6) Pedestrian activity and scale. The quality of experience for the individual or for groups in varying activities is of great importance. Land use, architectural design, landscape design and public art combine at the human scale to contribute to quality places for people.

(B) The following general standards shall apply in the WRO District.

(1) Views:

(a) Maintaining and improving views of the river is desired. Structures should be designed to allow views of the river from adjacent streets; massing and placement of buildings should maximize a cone of vision that includes a view of the riverfront and does not obscure the view from other developments.

(b) Treatment of river edges should be visually appealing from the river vantage point as well as from the shore.

(2) Landscape and grading:

(a) Continuity of landscape concept and harmony between development parcels is expected.

(b) Design concept, materials selection, and detailing of public spaces should have a harmony and unity expressive of an overall scheme. In the absence of a detailed "master" site plan, the Corporation shall look for overall continuity and theme among projects.

(c) The filling of land for development purposes shall consider the scenic quality of the parkway and the river's edge. Fill operations are to be set-back from the landscape buffer area, graded with side slopes, and varied in contour as needed to present a "naturalized contour." Continuity between adjacent parcels is important.

(d) Maintaining the natural character and contours of grade of the existing river bank, within the designated setback, is encouraged, especially in Areas B and C-I.

(e) Surface areas used for parking should be landscaped or fenced to partially screen such areas from view from access streets, freeways, adjacent properties, and from the waterfront. Parking structures should include perimeter landscaping. Berms (in combination with plantings or low walls) screening parking are appropriate and desired, with variations in contours achieving either a natural or cultivated appearance as best relates to the land use it adjoins.

(f) When the top level of parking structures is used for parking and is readily seen from public streets or residential or hotel structures, rooftop landscape treatment shall be reviewed for its design quality

(g) In highly visible surface parking lots, use of alternative surfaces such as paving blocks or "grass-crete" is encouraged.

(h) Where landscaping is selected for screening purposes, the seasonal density and buffering capabilities of selected plan material shall be reviewed. Seasonal variety of color and form should be an important consideration in the choice of materials for aesthetic intent.

(3) Circulation (pedestrian and vehicular):

(a) Pedestrian systems and street crossings that encourage trips on foot, particularly from the downtown to the waterfront area, should be provided.

(b) The quality of the sidewalk environment should be enhanced by means of appropriate landscaping, lighting, graphics, street furniture, and design; concrete paving in compliance with the CBD sidewalk standards, or finish material such as brick or stone pavers, should be provided.

(c) Internal pedestrian circulation systems should coordinate with the parkway plans and river's edge plans and standards for walks, bikeways, jogging trails, and other movement systems or patterns.

(d) Parking lots, storage areas and similar uses should be located away from the river's edge and on unobtrusive sites. In areas characterized by buildings along the street line, parking lots should be located behind or on the side of buildings, whenever possible.

(e) Designated public pedestrian access ways between River Road and the river's edge should be encouraged.

(f) The public river walkway should be continued along the river's edge in Areas A-I and B. Its design should be sensitive to the character of the surrounding waterfront development.

(g) The pedestrian systems (walks, jogging trails) and bicycle paths should be developed along the parkway and in accordance with plans for River Road.

(h) Public transit service, through access to TARC routes, should be provided and should include shelters and waiting areas for appropriate group sizes, in public and private developments.

(4) Building design, materials, and colors:

(a) The use of unfinished common concrete block, cinder block, or corrugated panel as the main facing material for exterior walls is discouraged.

(b) Construction should be of quality finish materials such as brick, stone masonry, and architectural concrete and should be in harmony with the surrounding character of the waterfront development.

(c) Simulated materials such as vinyl and aluminum siding should be avoided.

(d) Predominant exterior colors should be of natural materials or those that are complimentary and harmonious to the character of the surrounding waterfront development.

(e) Bright colors should not dominate but may be permitted as a compatible accent.

(f) Large areas of blank walls (including parking garage frontage) should be avoided. Pedestrian and active-use areas at street level are encouraged. Special treatment with screening, landscaping, and the like, is desired where such conditions are unavoidable.

(g) When the first or street level of a structure is used for parking, storage, or is a vacant area, appropriate treatment of masonry, finish material, screening, or landscaping should be provided to minimize unsightliness.

(h) Mechanical equipment or utility equipment located on the exterior of a building should be appropriately screened from public view or designed as an integral part of the overall exterior appearances the building facade.

(i) Service areas, refuse collection areas, storage areas, and loading docks should be located away from or screened from public view.

(5) Preservation of historic structures and sites:

(a) Projects which provide for adaptive reuse of historic buildings and sites eligible for the National Register of Historic Places shall be favorably reviewed.

(b) All buildings are recognized as products of their own time. Contemporary design is encouraged except where such design would clearly detract from the design compatibility within a group of historically significant structures. Alterations, additions, and new developments should be sympathetic to and harmonious with the historic context, and not seek to mimic an earlier style.

(c) The distinguishing original qualities of a property should not be diminished through alteration or removal of distinctive architectural features. When replacing original material, new material should closely match the original in composition, design, color, texture, and other visual qualities.

(d) If cobblestones are located within the proposed development, they are to be collected and either reincorporated into the project's design or given to the city. Cobblestones are considered historical artifacts and are the property of the city.

(6) Lighting:

(a) Lighting fixtures in publicly accessible areas should be decorative and similar to or compatible with the Victorian fixtures installed downtown. In Areas A-I and B, light color should be the same as that used at the wharf.

- (b) Exterior lighting should enhance the site and building design.
- (c) Specialized lighting is permitted to accent landscape features.

(d) Lighting should be restrained to prevent excessive brightness and undue glare on adjacent properties and the river.

(e) Lighting levels and color shall be designed in consideration of the overall effect on patterns, repetition, focal points, and rhythm within the panorama of the waterfront.

(7) Utilities:

(a) All utility services (telephone, electrical, cable, and the like) shall be installed underground.

(b) Utility components required to be above ground (transformers, meters, and the like) shall either be screened by landscaping or decorative wall or located away from public view.

(8) Retaining walls, fencing and railing:

(a) Retaining walls should be faced with masonry or other decorative screening or landscaping to minimize the blank appearance of such walls.

(b) Fence and rail design should be compatible with the surrounding character of the waterfront development.

(c) Proposed fencing should not limit actual or visual access to the waterfront, except where necessary for safety or security. Fencing material visible from publicly accessible areas should compliment surrounding architectural materials; chain link fencing is inappropriate in these areas.

(d) When determined that screening is necessary, fencing, if used as screening, shall be solid, and shall include vegetation. Landscaping used for screening shall form a complete year-round opaque screen.

(9) Flood plain:

(a) A flood control system shall be integrated within the development's design. Physical and visual barriers to the waterfront are discouraged.

(b) The design of lower levels, exposed to flood elevations, shall be integrated with the structure so it will not be unsightly or unrelated to either the habitable portion of the building or the surrounding landscape.

(10) Signage:

(a) Signs should be designed to enhance the area's visual appeal and ability to attract the public. The size, height, number and design of signs shall be reviewed for their ability to achieve these goals as well as their impact on traffic safety.

(b) In general, attached signs should be designed to fit within the architectural space intended for signage and not cover architectural features.

(c) Signs seen in relation to other signs should be designed to be compatible in location, shape, style, graphics, size, material, illumination, and color. Uniformity should be maintained in certain characteristics while other characteristics should be varied to permit individual expression and identification.

(d) Outdoor advertising signs (billboards), pennants, streamers and temporary signs are not appropriate in the Waterfront area except for special events, building openings, and the like which shall be subject to expedited review under § 162.45(B)(1).

(C) The following standards shall apply only within the WRO sub-areas:

(1) Standards specific to Areas a-1 and A-2:

(a) Strong access connections between Main Street and the waterfront should be maintained.

(b) The urban grid of streets and sidewalks should be extended into the areas in a logical and appropriate manner to achieve a physical and perceptual relationship between the CBD and the waterfront.

(c) Individual buildings and structures should be situated in relation to the existing urban grid and historic context.

(2) Standards specific to Area B: Dock construction should be developed to meet recreational needs, with floating docks using support masts designed as an integral part of the overall appearance. Covered slips should not be permitted for the typical boat slips.

(3) Standards specific to Area C-I:

(a) Landscape and/or siting shall screen industrial and other uses from River Road and the river's view.

(b) Chain link fence may be used for security reasons but shall be sufficiently landscaped where visible from public areas and the river.

(D) The Corporation, or any body to which it has delegated responsibility for technical reviews of development plans under this subchapter may adopt additional standards consistent with the policies and standards established herein for the purpose of interpreting and supplementing the policies and standards established by this subchapter. (Lou. Metro Ord. No. 66-2004, approved 6-3-2004)

(1) Standards specific to Areas A-I and

(a) Strong access connections between Main Street and the waterfront should be maintained.

(b) The urban grid of streets and sidewalks should be extended into the areas in a

**162.98 SEVERABILITY.**

If any provision of this chapter as now or later amended or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application. (1994 Jeff. Code, § 10.07) (Jeff. Ord. 36-1994, adopted and effective 12-20-1994)

**162.99 PENALTY.**

(A) It shall be unlawful for any person to conduct any development activity within an overlay district in violation of the provisions of this chapter or contrary to the requirements and conditions set forth in any overlay district permit issued pursuant to this chapter. Violation of any provision of this chapter shall be enforced by the remedies set out in § 10.99.

(B) It shall be unlawful for any person to conduct any development activity within the District in violations of the provisions of this Ordinance or contrary to the requirements and conditions set forth in any Permit issued pursuant to this Ordinance. Violation of any provision of this Ordinance shall be enforced by the remedies set out in § 10.99. (1999 Lou. Code, § 158.99) (Lou. Ord. No. 233-1992, approved 12-28-1992; Lou. Am. Ord. No. 157-1996, approved 8-15-1996)